

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1-16 and 19-34 are pending in the present application. Claims 3, 4, 8, 9, 13, 14, 16, 21, 22, 26, 27, 31, 32 and 34 are amended by the present amendment.

I. Entry Of Amendment Under 37 C.F.R. § 1.116

Applicant requests entry of this Amendment and Request for Reconsideration under Rule 116 because the amendments to claims 3, 4, 8, 9, 13, 14, 16, 21, 22, 26, 27, 31, 32 and 34 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised, and because the amendments do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. It is believed no new features or new issues are raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

Further, it is requested this Amendment be entered because the outstanding Office Action includes a rejection to U.S. Patent number 5,752,050 to Hernandez et al. (herein "Hernandez"), which is newly cited art. As such, entry of this Amendment to address the rejection in light of newly cited art is respectfully requested.

II. Rejection Under 35 USC § 102

Claims 1-16 and 19-34 were rejected under 35 USC § 102(e) as anticipated by Hernandez. This rejection is respectfully traversed.

Independent claim 1 recites "a detection unit to detect a type of the data to be processed." Power control units "control a corresponding one of the plurality of driving means according to said type of the data to be processed." Independent claim 19 includes similar features.

In a non-limiting example, in the present application, the power save information 172 in Figure 11 includes a flag 173, information to designate the devices 174 and the power save control information 175. The power save control information 175 shows the kinds of the power save control operations which are to be executed, such as power on/off control or suspend/resume control (see the specification at page 22, lines 3-21). The CPU 101 detects the type of the data of the file and writes the values to the power on/off flag 149 and the suspend/resume flag 150 in the register 148 according to the type of the data of the file (see the specification at page 17, lines 12-16). As an advantage, for example, if the type of the data is sound data, the display device 113 may be powered-down because only sound data is being processed.

In contrast, Hernandez only discusses that various system components are powered-down based on user or system inactivity, which is different from claim 1 which recites detecting “a type of the data to be processed,” and controlling “a corresponding one of the plurality of driving means according to said type of the data to be processed.” Further, in Hernandez, each PM handler 17 controls a device driver 15 based on a received power event (see Hernandez at col. 3, lines 55-57). In Hernandez, a single power event may affect more than one device—for example, a “Sleep” power event used to initiate a global power down (see Hernandez at col. 5, 21-25), which is different from controlling driving means based on the type of data to be processed, as in independent claims 1 and 19.

Moreover, although each power event in Hernandez may be, for example, User_Idle, Sleep, etc. such a power event does not relate to the type of data to be processed by the device that is controlled by the device drivers. For example, a Sleep power event in Hernandez may be applicable to all connected peripheral devices, regardless of purpose, which is different from the present application in which sound data may be applicable only to a speaker 110, because the display device 113 does not process sound data.

Accordingly, it is respectfully submitted independent claims 1, 6, 9, 11, 14, 19, 22, 24, 27, 29 and 32 and each of the claims depending therefrom patentably distinguish over Hernandez.

III. Amendment to Claims and Specification

In addition, claims 3, 4, 8, 9, 13, 14, 16, 21, 22, 26, 27, 31, 32 and 34 are amended to recite “the type of data to be processed,” support for which is found in the originally filed specification at least at page 4, lines 15-19. In addition, the specification is amended only to correct minor informalities. It is believed no new matter is added.

IV. Acknowledgment of IDS

It is respectfully requested consideration of the Information Disclosure Statement filed October 6, 2003 be acknowledged in the next Office Communication.

V. Conclusion

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: May 20, 2004

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